

STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

June 6, 2011

5:30 p.m.

Courthouse

MINUTES:

MEMBERS PRESENT:

Commissioner Jack Black
Commissioner Gary Farley
Bob Asbury
Commissioner Trey Gooch
Commissioner Jeff Jordan
James C. Cope
Commissioner Jeff Phillips
Commissioner Steve Sandlin
Commissioner Adam Coggin, C

OTHERS PRESENT:

Ernest Burgess Lisa Nolen
 Robert Stevens

David Edwards Rob Lyons
 Sonya Stephenson

Larry Jernigan Laura Bohling
Joe F. Jernigan Susan Allen
Bernard Salandy Becky Shelton

Chairman Coggin presided and called the meeting to order at 5:30 p.m. with six members being present at that time.

MINUTES:

"Commissioner Phillips moved, seconded by Commissioner Farley, to approve the minutes of the last meeting as mailed. This motion passed unanimously by acclamation."

FILL VACANCY ON CORRECTIONAL WORK CENTER BOARD:

Chairman Coggin advised applications had been received from Larry D. Jernigan and Robert Asbury for appointment to the Correctional Work Center Board to fill the unexpired term of John Taylor which will expire January, 2012. Both applicants were present and addressed the Committee.

"Commissioner Black moved, seconded by Commissioner Farley, to nominate both applicants and vote for one. Mr. Asbury will be recommended for appointment to the Correctional Work Center Board to fill the unexpired term of John Taylor to expire January, 2012 with Commissioner Black voting for Jernigan and Commissioners Farley, Gooch, J. Jordan, Phillips and Coggin voting for Asbury."

ANNOUNCE THREE VACANCIES ON INDUSTRIAL DEVELOPMENT BOARD AND HEALTH, EDUCATION & FACILITIES BOARD:

Chairman Coggin advised the positions of Rob Lyons, Alan Farley and David Waldron on the Industrial Development Board and Health, Education & Facilities Board were expiring and accordingly being announced. The positions will be filled at the August Commission meeting.

ANNOUNCE TWO CITIZEN-AT-LARGE VACANCIES ON INSURANCE COMMITTEE:

Chairman Coggin advised the positions of Donnie Hester and Susan Boney in the citizen-at-large positions on the Insurance Committee were expiring and accordingly being announced. The positions will be filled at the August Commission meeting.

ANNOUNCE TWO VACANCIES ON COMMUNITY CARE BOARD:

Chairman Coggin advised the positions of Annie Ruth Uselton and Paul Johnson on the Community Care Board were expiring and accordingly being announced. The positions will be filled at the August Commission meeting.

APPOINTMENT OF JUDICIAL COMMISSIONERS:

Chairman Coggin next advised Judges of the General Sessions and Juvenile Court of Rutherford County have requested appointment of Amy Anderson, Suzanne Kauffman and Kenna Deal as judicial

commissioners pursuant to the authority contained in Tennessee Public Acts of 1978, Chapter 933, for terms not to exceed four years and such terms to conclude and terminate if and when the term is concluded or the service with Rutherford County is terminated. Following discussion,

"Commissioner Black moved, seconded by Commissioner Phillips, to recommend appointment of Amy Anderson, Suzanne Kauffman and Kenna Deal as judicial commissioners for terms not to exceed four years and such terms to conclude and terminate if and when the term is concluded or the service with Rutherford County is terminated. This motion passed unanimously by acclamation."

REPORT FROM HUMAN RESOURCES DIRECTOR:

Ms. Sonya Stephenson, HR Director, provided proposed Guidelines for Appointed Board/Commission Members advising it was basically an ethics policy and could be part of the appointment process. Mayor Burgess advised it was an expectation on how the appointees should handle themselves.

Commissioner Gooch questioned if Election Commission should be in the list of Boards as this is not appointed by the Commission and Ms. Stephenson confirmed the Election Commission should be removed from the list.

Commissioner Black advised he thought the terms of the various Boards should be reviewed as some seem too long. Ms. Stephenson advised she could research the terms if requested. Following discussion,

"Commissioner Farley moved, seconded by Commissioner Gooch, to approve the Guidelines for Appointed Board/Commission Members deleting Election Commission from listed Boards and submitting the Guideline to future and existing appointees. This motion passed unanimously by acclamation."

The Committee requested Ms. Stephenson research Board terms and report back.

AUDIT COMMITTEE:

Lisa Nolen, Finance Director, addressed the Committee advising the State has reviewed the proposed Resolution to establish an Audit Committee requesting one change in Section 2 that no Audit Committee member will be an elected official with the exception of elected County Commissioners, members of the Board of Education or Road Board meaning the Circuit Court Clerk, Register of Deed's, etc. cannot serve. The Resolution as presented included the prior language requested regarding recommendation of the Steering Committee and appointment of members to full terms after the initial term. Following discussion,

"Commissioner Phillips moved, seconded by Commissioner Sandlin, to approve the Resolution to Establish an Audit Committee as presented. This motion passed unanimously by acclamation."

RTA (REGIONAL TRANSPORTATION AUTHORITY) RESOLUTION:

Mayor Burgess advised the Regional Transportation Authority is made up of a group of counties and oversees van pools, ride sharing and the bus from MTSU to Smyrna, LaVergne and Nashville known as Relax

& Ride. The Relax & Ride program runs 14/15 bus trips per day with 40/50 riders for transportation to jobs and is critical for economic purposes. With the price of fuel, the program usage continues to skyrocket. The RTA is funded with State, Federal and local monies. The fares charged pay for 25% of the cost.

Legislation passed in 2009 provided for special revenue sources in the future to potentially expand the program providing for additional taxes on citizens or the RTA issuing debt. A referendum could also be called on the additional funding. Mayor Burgess advised for Rutherford County to stay in the RTA it must approve and adopt the reconstituted RTA. Nothing further needs to be done at this time as far as services and this does not provide for taxes now or additional services. Other areas of the country are more advanced than Tennessee in mass transit.

Mayor Burgess further advised emissions testing is not going away and without emissions control Federal dollars can be pulled back. Although Rutherford County has met the current emissions standards these will be changed shortly and Rutherford County will again be out of compliance.

The proposed Resolution only provides tools to do further options such as express bus service or rail service. No project could be started without Commission approval or a referendum. If the Resolution is not passed, Rutherford County would be out of the RTA and have no bus service. However, Rutherford County could get back into the RTA program at any point. Following discussion,

"Commissioner Sandlin moved, seconded by Commissioner Farley, to approve the Resolution Ratifying Continued Membership in the Regional Transportation Authority of Middle Tennessee. This motion passed unanimously by acclamation."

PROPERTY TAX EXEMPTION FOR PERFORMING ARTS ORGANIZATIONS:

The Committee was advised the Center for the Arts building was previously owned by Rutherford County and the City of Murfreesboro but a few years ago transferred to the Center for the Arts which is a 501(C)(3) corporation. Under State statute, the building can be exempted from property taxes if approved by the County legislative body by Resolution. The action can be rescinded in the future. The Committee was advised other performing arts organizations in the County can also request tax exemption by applying to the State Board of Equalization and meeting the same requirements. Following discussion,

"Commissioner Phillips moved, seconded by Commissioner Gooch, to approve the property tax exemption authorized by T.C.A. 67-5-223 for non-profit community and performing arts organizations. This motion passed unanimously by acclamation."

THREE STAR PROGRAM:

The Committee was next provided information on the Three Star Program and advised this is the program the funding for the school lighting program was obtained. The Committee was provided a Resolution to adopt the Strategic Economic Development Plan for the Three Star Program as well as a Resolution to affirm compliance with Federal Title VI regulations. Following discussion,

"Commissioner Black moved, seconded by Commissioner Sandlin, to approve the Resolution to Adopt the Strategic Development Plan and Resolution to Affirm Compliance with Federal Title VI Regulations. This motion passed unanimously by acclamation."

LEGAL SERVICES AGREEMENT FIRST AMENDMENT:

The Committee next considered a proposed Resolution adopting the First Amendment to the Legal Services Agreement which provides for a stipend of \$37,450 for support staff position which is equivalent to the base salary of a new employee with annual adjustments granted similarly situated employees of the County in lieu of the County providing a full time County secretary as the agreement presently provides. This support staff position will not be an employee of Rutherford County so the County will not pay any benefits and will be a substantial savings for the County. The funding for the stipend for the support staff person has been approved by the Budget Committee.

Commissioner Sandlin questioned the time frame for the County Attorney's Office and was advised the current term runs for one more year under the current agreement and it is up to the Mayor and Commission to decide the needs for legal services.

The Committee was advised by Mayor Burgess the employee that recently retired from the County Attorney's Office is to be engaged to be the secretary for the Committees at \$500 per month as an independent contractor. Mayor Burgess advised this arrangement is a net savings of almost \$20,000 to the County. Commissioner Phillips questioned whether the Committee Secretary qualified as an independent contractor or would be a part-time employee and he recommended the matter be looked into. Mayor Burgess advised he would review the matter with the HR Director but he wanted the position to be an employee of the Commission or Mayor if required. Following discussion,

"Commissioner Phillips moved, seconded by Commissioner Gooch, to approve the Resolution and First Amendment to Legal Services Agreement as presented with a report back on the independent contract status of the secretary issue. This motion passed unanimously by acclamation."

REDISTRICTING COMMITTEE:

Mayor Burgess provided a map showing the current Commission districts and percentage each is over/under the target population of 12,205 in the upcoming redistricting required advising each district will be affected. The current County population is 262,640 and when divided by 21 districts should contain 12,205 +/- 5%. This is a complex problem that has to be solved by January 1 with the Commission having the ultimate authority over the district lines. The Comptroller's Office has suggested establishing a Redistricting Committee and a Resolution was provided to establish this Committee. The new districts would go into effect with the next election after January 1, 2012.

The Committee was advised the districts do not have to be strictly city or rural and can cross municipality lines.

Mayor Burgess recommended the Committee be made up of five Commissioners, two Election Commissioners, the Election Administrator

and one at large citizen with experience in the process.

The Committee was advised the County can have 9 to 25 Commissioners and can have more than one Commissioner per district. There are a lot of things to consider in this process.

Commissioner Phillips suggested a Committee of 7 Commissioners so 1/3 of the Commission would be on the Committee. Commissioner Black approved the 11 member number but thought one member should be from the Road Board and School Board respectively. Commissioner Phillips disagreed as the Commission has the final authority and this may be a large time commitment. Mayor Burgess advised an 11 member Committee may not be functional and anyone can attend the meetings that is interested. Following discussion,

"Commissioner Farley moved, seconded by Commissioner Phillips, to establish a Redistricting Committee composed of five (5) Commissioners, two (2) Election Commissioners, the Election Administrator and one (1) at large citizen with experience with the process. This motion passed by acclamation with Commissioner Black voting "no".

The Steering Committee will take applications for appointment to the Committee.

RESCHEDULE SEPTEMBER MEETING:

By consensus of the Committee, the September meeting is rescheduled to August 29, 2011 at 5:30 p.m. due to the Labor Day holiday.

There appearing to be no further business to come before the Committee, Chairman Coggin declared the meeting adjourned at 7:04 p.m.

ADAM COGGIN, Chairman